

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22304-1450, ON THE DATE INDICATED BELOW.

BY:

*Gernee Conti*

Date:

*May 25, 2004*

**MAIL STOP RCE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of:  
Futoshi Tanigawa et al.

Conf. No.: 2369

: Group Art Unit: 1745

Appln. No.: 10/081,087

: Examiner: Dah Wei Yuan

Filing Date: February 22, 2002

: Attorney Docket No.: 10059-406US  
(P27064-01)

Title: POSITIVE ELECTRODE ACTIVE MATERIAL FOR ALKALINE STORAGE  
BATTERY, POSITIVE ELECTRODE USING THE SAME AND METHOD OF  
PRODUCING THE SAME

**AFTER FINAL REQUEST FOR CONTINUED EXAMINATION (RCE)  
UNDER 37 C.F.R. 1.114**

This is a request under 37 CFR 1.114 for continued examination (RCE) of the above identified application in response to the final Office Action mailed February 25, 2004 (Paper No. 02122004). Enclosed are the following in support of the RCE under 37 C.F.R. 1.114:

- ☐ Enter the unentered Amendment previously filed on &@ under 37 CFR 1.116 in the above application.
- ☒ An Amendment/Request for Reconsideration.
- ☐ An Information Disclosure Statement, PTO/SB/08A and cited references.
- ☐ New formal drawings.
- ☐ A Petition for Extension of Time to &@ for the pending application.
- ☐ Other: &@

The following fees are enclosed:

- ☒ RCE fee of \$770.00 required under 37 C.F.R. 1.17(e).
- ☐ Extension of time fee in the amount of \$\_\_\_\_.00



Application No. 10/081,087  
Reply to Office Action of February 25, 2004

☐ Additional claim fees of &@ for excess claims submitted in the enclosed Amendment, calculated as follows:

					SMALL ENTITY		LARGE ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL		(-)	or 20		x9		x18	
INDEP.		(-)	or 3		x43		x86	
<input type="checkbox"/> 1st PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					+\$145		+\$290	
					<b>TOTAL</b>		<b>TOTAL</b>	

☒ Firm check(s) totalling \$770.00 is enclosed herewith.

☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. 210059.0406) as noted below. A duplicate copy of this sheet is enclosed.

☒ Any overpayments or deficiencies in the above-calculated fee(s).

☐ RCE fee in the amount of \$\_\_\_\_.00.

☐ Extension fee in the amount of \$\_\_\_\_.00.

☐ Additional claim fee(s) in the amount of \$\_\_\_\_.00 as calculated above.

☒ Any additional fees required under 37 C.F.R. §§ 1.16 or 1.17.

☐ In the event that a Petition for Extension of Time is required, but not enclosed, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

Respectfully submitted,

**FUTOSHI TANIGAWA et al.**

May 25, 2004  
(Date)

By:

SANDRA M. KATZ

Registration No. 51,864

**AKIN GUMP STRAUSS HAUER & FELD LLP**

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

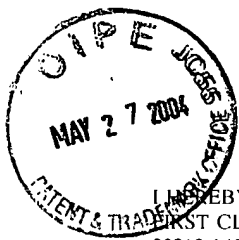
Telephone: 215-965-1200

**Direct Dial: 215-965-1344**

Facsimile: 215-965-1210

E-Mail: skatz@akingump.com

WWS/SMK:rc



I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY:

*Renee Conti*

Date:

*May 25, 2004*

**MAIL STOP RCE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of:  
Futoshi Tanigawa et al.

Conf. No.: 2369

: Group Art Unit: 1745

Appln. No.: 10/081,087

: Examiner: Dah Wei Yuan

Filing Date: February 22, 2002

: Attorney Docket No.: 10059-406US  
(P27064-01)

Title: POSITIVE ELECTRODE ACTIVE MATERIAL FOR ALKALINE STORAGE  
BATTERY, POSITIVE ELECTRODE USING THE SAME AND METHOD OF  
PRODUCING THE SAME

**AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION**

This is in response to the Final Office Action dated February 25, 2004 (Paper No. 02122004). This response is being timely submitted by May 25, 2004. Further, the finality of the Office Action has been withdrawn in view of the filing herewith of a Request for Continued Examination (RCE).

Please amend the above-identified application, without prejudice, as follows: